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17
18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF WASHINGTON

20
21 ANDREW M. RICHMOND, a
22 Washington Resident,
23
24 Plaintiff,

25 v.

26
27 SPOKANE COUNTY, a Washington
28 State County
29
30 Defendant.
31

No. 2:21-cv-00129-SMJ

**PLAINTIFF'S TRIAL AND
WITNESS EXHIBIT LIST**

Pursuant to the Court's Jury Trial Scheduling Order, ECF No. 70, Plaintiff, through their attorneys of record, identifies the following list of trial witnesses and exhibits. Plaintiff reserves the right to (1) supplement this list based on Defendant's disclosures, (2) use any exhibits or witnesses identified on the Defendant's list, and (3) supplement this list as appropriate. Plaintiff also reserves the right to display visual and illustrative/demonstrative materials to aid the jury in understanding the testimony. Plaintiff also reserves the right to offer rebuttal exhibits and witnesses, to withdraw exhibits, and to use impeachment exhibits and witnesses or exhibits to refresh witness recollection.

EXHIBITS

Exhibit Number	Description
1	KHQ News Article Deputy talks man of Monroe Street Bridge SC_Richmond 003712-003713
2	Resolution executing SCSO SCBA SC_Richmond 049312
3	SCSO Member Complaint Notifications for IA 2019-0014 SC_Richmond 048055-048080
4	Internal Affairs ("IA") interview transcript Tyler Kullman SC_Richmond 047978-047998
5	IA audio recorded interview Tyler Kullman SC_Richmond 063184

6	IA interview transcript Randy Watts SC_Richmond 048517-048531
7	IA audio recorded interview Randy Watts SC_Richmond 063181
8	IA interview transcript Jeffrey Thurman SC_Richmond 048487-048498
9	IA video recorded interview Jeffrey Thurman SC_Richmond 063196
10	IA interview transcript Veronica Van Patten SC_Richmond 048504-048516
11	IA video recorded interview Veronica Van Patten SC_Richmond 063178
12	IA interview transcript Andrew Richmond SC_Richmond 048378-048401
13	IA audio recorded interview Andrew Richmond SC_Richmond 049449
14	IA interview transcript Andrew Richmond SC_Richmond 048406-048419
15	IA video recorded interview Andrew Richmond SC_Richmond 063177
16	IA interview transcript Damon Simmons SC_Richmond 048468-048478
17	IA video recorded interview Damon Simmons SC_Richmond 063175
18	IA interview transcript Andrew Buell SC_Richmond_047913-20
19	IA video recorded interview Andrew Buell SC_Richmond_063172
20	SCSO Memo dated June 13, 2019 SC_Richmond 049184-049185
21	Newspaper Article "Deputy fired for racist comment" SC_Richmond 049388-049391
22	Sheriff Video Termination of Thurman Richmond003715

PLAINTIFF'S TRIAL AND WITNESS EXHIBIT LIST: 3

23	SCSO Anti-retaliation policy SC_Richmond SC_Richmond 041885
24	SCSO Standards of Conduct Policy SC_Richmond 041525-041536
25	SCSO Discriminatory Harassment policy SC_Richmond 041494-041498
26	SCSO Code of Ethics and Vision Statement SC_Richmond 041349-041352
25	SCSO Organizational Structure and Responsibility policy SC_Richmond 039905-039907
26	NAACP News Article SCSO Culture Audit Richmond003704- 003711
27	SCSO Culture Audit 2021 Richmond003697
28	Video Sheriff Town Hall Report Richmond003714
29	Thurman, Ellis and Bloomer picture Richmond001467
30	Thurman and SCSO Deputies off duty Richmond001485
31	Thurman and SCSO Deputies at bar Richmond002091
32	Richmond Commissioned Richmond002547
33	Richmond with Father Richmond002555
34	Richmond Deputy picture Richmond002550
35	Kullman flag picture Richmond002421
36	Richmond family picture Richmond002546
37	Richey text messages Richmond001452
38	Richmond grandmother picture – police graduation Richmond003716
39	Video tire slashing Richmond003717
40	Picture tire slashing Richmond003718

PLAINTIFF'S TRIAL AND WITNESS EXHIBIT LIST: 4

41	SCSO Personnel Complaints Policy SCSO_Richmond_039549-57
42	2019-21 CBA SC_Richmond_049312-54
43	Notice of Disciplinary Action SC_Richmond_049197-202
44	Resignation letter SC_Richmond_049045
45	Safe Streets Task Force Recommendation SC_Richmond_49035-36
46	Chart of Economic Damages (Erik West) (dated 12/21/21- will update before trial)

LAY WITNESSES

1. Plaintiff Andrew Richmond:

Mr. Richmond may testify regarding topics covered in his deposition and declaration and discovery answers to Defendant, the facts underlying his claims, and his damages, his employment at the SCSO, including without limitation: interaction with employees and supervisors at the SCSO in relation to his legal claims of hostile work environment (“HWE”). Mr. Richmond will testify about the HWE he experienced while on duty as a deputy from his SCSO supervisor at the time, Jeffrey Thurman including but not limited to: unfavorable treatment he received compared to white deputies. Mr. Richmond will testify about Mr. Thurman engaging in racist conduct. Mr. Richmond will testify about the retaliation he received as the complaint of discrimination and racist conduct in the workplace, including but not limited to: involuntary transfer, shunning, ostracization, accusations of terminable misconduct i.e., domestic violence, sex on duty with SCSO employees and threatening to sue SCSO. Mr. Richmond may testify regarding his damages as they relate to the discriminatory and retaliatory mistreatment he received by SCSO.

2. Katie Richmond:

Mrs. Richmond is Mr. Richmond’s wife. She may testify regarding topics covered in her deposition and discovery answers to Defendant, her knowledge of

1 retaliation against Plaintiff, her knowledge of the discrimination and hostile work
2 experience suffered by Plaintiff, and Plaintiff's damages, including emotional
3 damages.

4
5 **3. Veronica Van Patten, SCSO Deputy:**

6 Deputy Van Patten may testify to her experiences as a SCSO officer, her
7 knowledge of Mr. Thurman's racist conduct, SCSO's culture, retaliation,
8 accusations against her and Mr. Richmond, topics covered in her deposition
9 discovery answers to Defendant, Mr. Richmond's damages, SCSO's policies and
10 practices including but not limited to chain of command at SCSO, the Valley and
11 Downtown Precincts, and Mr. Richmond's time as a SCSO employee.

12
13 **4. Damon Simmons, Chief of Liberty Lake Police Department**

14 Chief Simmons may testify regarding his experiences as a SCSO officer, policies
15 and practices at SCSO and police agencies, his employment at the SCSO,
16 including without limitation his knowledge of treatment to Plaintiff by SCSO
17 employees and supervisors, SCSO's blue wall of silence, SCSO's culture
18 (including of retaliation and discrimination), Plaintiff's damages, and Plaintiff's
19 disclosures to Chief Simmons.

20
21 **5. Brad Richmond, Chief of Police Airway Heights Police Department:**

22 Chief Richmond, Mr. Richmond's father, may testify regarding his experiences
23 at the SCSO, topics covered in his deposition, his employment at SCSO, his
24 knowledge of policies and practices at SCSO and other agencies, SCSO's blue
25 wall of silence, and knowledge of treatment to Plaintiff by SCSO employees and
26 supervisors at SCSO and SCSO's culture of retaliation for reporting misconduct
27 by deputies. Chief Richmond may testify (while he was employed at SCSO) to
28 his knowledge of SCSO's policies and practices regarding, including but not
29 limited to, internal affair ("IA") investigations, anti-retaliation, anti-
30 discrimination and SCSO chain of command. Chief Richmond may testify
31 regarding Plaintiff's damages.

1 **6. Timothy Hines:**

2
3 Mr. Hines, a former SCSO Sergeant, may testify regarding his experiences at the
4 SCSO, his knowledge of the blue wall of silence at SCSO, SCSO's culture
5 (including of retaliation), SCSO's policies and practices, and safety concerns for
6 deputies that report misconduct. Mr. Hines may testify (while he was employed
7 at SCSO) to his knowledge of SCSO's policies and practices regarding, including
8 but not limited to, IA investigations that he conducted, retaliation, discrimination
9 and chain of command at SCSO. Mr. Hines may testify regarding his
10 investigation into Mr. Richmond's allegations to Internal Affairs.

11 **7. SCSO Sergeant Andrew Buell:**

12 Sergeant Buell may testify to his experiences at SCSO, personal knowledge and
13 experiences with Mr. Thurman's racist conduct and knowledge of Mr.
14 Thurman's racist conduct before he was promoted to Sergeant as Plaintiff's
15 platoon supervisor, specifically Mr. Thurman's comment "Are you ready to kill
16 some [n-words] tonight or what?" reported to him by Plaintiff. Sergeant Buell
17 may testify regarding his knowledge of SCSO's policies and practices of reporting
18 discrimination and racism in the workplace as a Sergeant supervisor at SCSO.
19 Sergeant Buell may testify regarding his knowledge of Mr. Richmond's time as a
20 police officer at SCSO.

21 **8. SCSO Undersheriff John Nowels:**

22
23 Undersheriff Nowels may testify about Mr. Thurman's promotion to Sergeant.
24 Undersheriff Nowels may testify to his personal knowledge of Plaintiff's transfer
25 to the Downtown Spokane Precinct at SCSO in 2019. Undersheriff Nowels may
26 testify about the retaliation Plaintiff received for reporting Mr. Thurman's
27 discrimination and racist conduct, including but not limited to: involuntary
28 transfer, accusations of terminable misconduct and domestic violence, and
29 accusations of sex on duty with SCSO employees. Undersheriff Nowels may
30 testify regarding his knowledge of SCSO's policies and practices of reporting and
31 investigating discrimination and retaliation in the workplace as an Undersheriff

1 (commander) at SCSO. Undersheriff Nowels may testify regarding Thurman's
2 history at the SCSO.
3

4 **9. SCSO Undersheriff David Ellis:**
5

6 Undersheriff Ellis may testify to his experiences at the SCSO, his personal
7 knowledge of Mr. Thurman's racist conduct, his relationship with Mr. Thurman,
8 SCSO policies and practices, retaliation against Plaintiff, SCSO's policies and
9 practices of reporting and investigating discrimination and retaliation in the
10 workplace as an Undersheriff (commander) at SCSO.

11 **10. Sheriff Ozzie Knezovich:**
12

13 Sheriff Knezovich may testify about his experiences at the SCSO, including
14 without limitation his knowledge of Thurman's racist conduct, retaliation against
15 Plaintiff, Thurman's history at the SCSO. Sheriff Knezovich may testify
16 regarding his knowledge of SCSO's policies and practices of reporting and
17 investigating discrimination and retaliation in the workplace as a Sheriff
18 (commander) at SCSO.

19 **11. Matt Lyons:**
20

21 Mr. Lyons, a former SCSO inspector, may testify about his experiences at the
22 SCSO, including without limitation the Command Staff meeting that occurred
23 when Mr. Thurman was placed on administrative leave in 2019 where Matt Lyons
24 stated that Mr. Thurman's conduct was not an SCSO policy violation. Mr. Lyons
25 may testify to his personal knowledge of the retaliation Plaintiff received for
26 reporting Mr. Thurman's discrimination and racist conduct, including but not
27 limited to: accusations of terminable misconduct i.e., domestic violence, sex on
28 duty with SCSO employees and threatening to sue SCSO. Mr. Lyons may testify
29 to the Command Staff meeting that occurred shortly after Mr. Thurman was
30 terminated from SCSO and the discussion of rumors of terminable misconduct
31 spread throughout SCSO about Plaintiff. Mr. Lyons may testify regarding his
knowledge of SCSO's policies and practices of reporting and investigating

1 discrimination and retaliation in the workplace as a former member of Command
2 Staff at SCSO.

3
4 **12. Mark Werner:**

5 Mr. Werner, a former SCSO Undersheriff, may testify about his experiences at
6 the SCSO, including without limitation the Command Staff meeting that
7 occurred when Mr. Thurman was placed on administrative leave in 2019 where
8 Matt Lyons stated that Mr. Thurman's use of the "n-word" was not an SCSO
9 policy violation. Mr. Werner may testify to his personal knowledge of the
10 retaliation Plaintiff received for reporting Mr. Thurman's discrimination and
11 racist conduct, including but not limited to: accusations of terminable
12 misconduct i.e., domestic violence, sex on duty with SCSO employees and
13 threatening to sue SCSO. Mr. Werner may testify to the Command Staff meeting
14 that occurred shortly after Mr. Thurman was terminated from SCSO and the
15 discussion of rumors of terminable misconduct spread throughout SCSO about
16 Plaintiff. Mr. Werner may testify regarding his knowledge of SCSO's policies and
17 practices of reporting and investigating discrimination and retaliation in the
18 workplace as a former member of the Command Staff at SCSO.

19 **13. Deputy Beau Vucinich:**

20 Deputy Vucinich may testify to topics covered in his deposition as well as his
21 experiences at the SCSO, including without limitation his interactions and
22 relationship with Thurman and his history as a police officer.

23
24 **14. SCSO Sergeant Randy Watts:**

25 Sergeant Watts may testify to topics covered in his deposition as well as his
26 experiences at the SCSO, including without limitation his knowledge of
27 Thurman's racist conduct and his experiences with Plaintiff, including
28 conversations with Plaintiff regarding Thurman—as well as his relationship with
29 Thurman.
30
31

1 and policies and practices in law enforcement regarding anti-discrimination and
2 anti-retaliation. Mr. Sweeney may be called to testify regarding Defendant's
3 behavior towards the Plaintiff in relation to law enforcement industry standards
4 in IA investigations and policies and practices. Mr. Sweeney may also testify to
5 any other subjects or opinions referenced in his report and/or subsequent
6 deposition testimony, including reasonable inferences that may arise.

7 **2. Erick West, M.A.:**

8
9 Mr. West may testify relating to his qualifications and experience as a forensic
10 economist. Mr. West may be called to testify regarding Plaintiff's economic
11 damages related to the present case. Mr. West may also testify to any other
12 subjects or opinions referenced in his report and/or subsequent deposition
13 testimony, including reasonable inferences that may arise.

14 **3. Ira McMorris, MA, LMHC, CDP:**

15
16 Mr. McMorris is a treating provider of Plaintiff's and has been since June 2021.
17 Mr. McMorris may testify to Plaintiff's compounded mental health related to
18 his work environment at SCSO. Mr. McMorris may be called to testify the
19 negative impact on Plaintiff's psychological health related to SCSO's severe
20 mistreatment. the Plaintiff reserves the right to solicit testimony from Mr.
21 McMorris as to any matter within the realm of his expertise that is reasonably
22 related to the issues pending in this lawsuit. Mr. McMorris may also testify to any
23 other subjects or opinions referenced in his deposition testimony, including
24 reasonable inferences that may arise.

25 **RESERVATIONS**

26
27 Plaintiff reserves their right to amend this list as described above.

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29
30 Dated this 5th day of August, 2022

s/ Heather C. Barden

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